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6

7 Attorney for Timothy J. Walker

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12  
13 v.  
14 TIMOTHY J. WALKER,  
15 Defendant.

Case No. 2:16-CR-042-JAD-PAL

**STIPULATION TO CONTINUE  
SENTENCING HEARING**

**(Fifth Request)**

16 IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden,  
17 United States Attorney, and Elham Roohani, Assistant United States Attorney, counsel for the  
18 United States of America, and Rene L. Valladares, Federal Public Defender, and Nisha Brooks-  
19 Whittington, Assistant Federal Public Defender, counsel for Timothy J. Walker, that the  
20 Sentencing Hearing currently scheduled on March 7, 2017 at 10:00 a.m., be vacated and  
21 continued to a date and time convenient to the Court, but no earlier than one hundred and twenty  
22 (120) days.

23 This Stipulation is entered into for the following reasons:

- 24 1. The defendant is out of custody and does not oppose the continuance.  
25 2. Counsel was recently assigned to this case and needs additional time to review  
26 the case, to prepare a sentencing memorandum, and to prepare for the sentencing hearing.

1           3.       In addition to this case, counsel is also assigned to over 150 cases involving  
2 Motions to Vacate under 28 U.S.C. § 2255 seeking relief under the Supreme Court's decision  
3 in *United States v. Johnson*, 135 S. Ct. 2551 (2015). Counsel has filed approximately 21 replies  
4 in response to the government's opposition to the Motions to Vacate in the month of February,  
5 and have at least 18 replies due in March.

6           4.       Additionally, the government's counsel will be out of the office on maternity  
7 leave for approximately 90 days and does not oppose the request for a continuance.

8           5.       Denial of this request for continuance could result in a miscarriage of justice.

9           6.       The parties agree to the continuance.

10          This is the fifth request for a continuance of the sentencing hearing.

11          DATED this 27<sup>th</sup> day of February, 2017.

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13          RENE L. VALLADARES  
14          Federal Public Defender

13          DANIEL G. BOGDEN  
14          United States Attorney

15          By /s/ Nisha Brooks-Whittington  
16          NISHA BROOKS-WHITTINGTON  
17          Assistant Federal Public Defender

15          By /s/ Elham Roohani  
16          ELHAM ROOHANI  
17          Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 TIMOTHY J. WALKER,

7 Defendant.

Case No. 2:16-CR-042-JAD-PAL

**ORDER**

9  
10 IT IS THEREFORE ORDERED that the sentencing hearing currently scheduled for  
11 Tuesday, March 7, 2017 at 10:00 a.m., be vacated and continued to July 10, 2017 at  
12 11:00 a.m.

13 DATED this 27th day of February, 2017.

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15   
16 UNITED STATES DISTRICT JUDGE